



March 13, 2005

## Wyoming Legislative Update

The General Session of the 58<sup>th</sup> Wyoming Legislature concluded on March 4, 2005. Aside from the specific issues that your government affairs director was involved in, much of the session revolved around budget issues, particularly in light of the surplus present at the start of the session. \$147 million was placed in the Permanent Mineral Trust Fund. Medical malpractice and insurance was still an issue, even with the special session that was held last summer specifically to address this problem. Production agriculture worked hard on passage of a bill dealing with the split estate problem; these efforts were successful.

I especially appreciate membership responses to appeals that I sent out through the session. Input from constituents is still very important in the Wyoming Legislature. We will also be updating the membership at the summer convention, where we will also discuss upcoming topics. Do not hesitate to contact me if you have questions regarding specific legislation.

## SENATE ACTION

### **SF0002 – Water Resources Library Repeal – Passed**

The library required to be maintained by the state engineer's office regarding water resources was abolished. There are seldom more than one or two visitors each year, and an identical library is maintained at both the state library, and the University of Wyoming.

### **SF0009 – Intangible Property Tax Study – Passed**

### **SF0012 – Intangible Property – Passed**

### **SF0041 – Property Taxation, Intangibles – Passed**

All three of these bills passed, primarily due to problems encountered in the assessment of the telecommunications industry. We will be watching the outcome of these studies, as this may also have an impact on Intellectual Property Rights.

### **SF0014 – Graduated Driver's Licenses – Passed**

After this bill was amended, we supported it; this gives full driving privileges at age 17, as opposed to 16. Other aspects of licensing of young drivers are unchanged; similar bills have been introduced in the past three years. This is

an excellent compromise; hopefully we will not see the return of this perennial favorite during upcoming sessions.

**SF0017 – Pest Control Compact – Passed**

This bill formalized Wyoming's membership in the pest control compact. Wyoming can request that funds be spent to combat pest problems in adjacent states. If this is requested, the state receiving funding cannot curtail other funding already in use for pest control. Funding was given to this several years ago, but the specific language was not adopted. WABA supported this bill.

**SF0018 – Grain Laws – Passed**

This bill consumed the most time of any of the issues that WABA addressed this year. We participated in several meetings to examine this subject prior to the session; this examination took place as a result of the fraud case in Torrington involving a dry bean elevator. Language was strengthened to better regulate all grain warehouses. There is also a related topic that will be discussed during the interim, grain indemnity funds.

**SF0020 – Registration of Livestock Dealers – Failed**

While this bill failed, eventually some type of regulation will be necessary, in order to comply with federal animal identification requirements. Likely, a similar measure will return during the budget session.

**SF0021 – Government Entities Reporting Requirements – Passed**

All local government entities are required to report boundaries to the department of revenue. County commissioners must obtain certification that this has occurred, prior to approving tax levies for special districts.

**SF0041 – Wildlife and Natural Resources Act – Passed**

This bill took a large amount of the house's time, just before the end of the session. While the governor vetoed a line limiting the total dollar volume of small projects, most of the bill was signed into law. There will be continuing oversight by the legislature over this fund, and the rules and regulations associated with this statute.

**SF0052 – Business Entities – Electronic Filings – Passed**

**SF0169 – Department of Agriculture – Electronic Filings – Passed**

Both business filings and filings that are required by the department of agriculture are now permitted electronically. There will be considerable rulemaking required before this can fully take effect; the department is aware of WABA's concerns with confidentiality of these records.

**SF0126 – Large Vehicle Speed Limit – Failed**

**SF0156 – Multi-lane Highway Speed Regulation – Passed**

**HB0198 – Commercial Vehicles – Increased Speeding Fines - Failed**

Only SF0156 passed during this session; this requires vehicles to travel the speed limit if they travel in the left-hand lane of a four or more lane highway,

given good weather conditions (drivers cannot impede the flow of traffic). Senate File 126 would have placed a 65 mile per hour speed limit on commercial vehicles using the interstate system, and House Bill 198 would have increased fines from \$100 to \$300 for speeding above 80 mph. in a 75 mph. zone, and speeding above 70 mph in a 65 mph. zone. We joined with the Trucking Association in opposing the bills that were defeated.

## **HOUSE ACTION**

### **HB0017 – Sales and Use Tax Exemption, Semen and Embryo Transplants – Failed**

### **HB0018 – Sales and Use Tax Exemption, Herbicides and Pesticides – Failed**

While both of these measures easily passed the house, neither came out of the senate's rules committee. We will be discussing this topic in greater detail during the convention, and decide on a course of action for next year.

### **HB0029 – Agricultural Burning – Failed**

Although this bill was defeated, rules and regulations were adopted by DEQ that allow this burning to continue, making passage of this bill unnecessary.

### **HB0041 – Reportable Animal Disease List – Passed**

### **HB0043 – Livestock Diseases – Passed**

### **HB0207 – Livestock Records – Confidentiality – Passed**

These bills, all addressing some facet of the animal disease problem all passed. The final bill addresses one of the largest concerns of ranchers with the animal identification regulations now being implemented, that of confidentiality. This was brought to the forefront by the brucellosis cases that occurred last fall in Wyoming.

### **HB0071 – Community Landfill Remediation – Failed**

This bill would have exerted greater state control over the process of remediation of local landfills in Wyoming. The bill failed to move out of committee in the house.

### **HB0094 – Environmental Health Study – Passed**

The department of health will be conducting a study of overlapping areas, and jurisdictional gaps in the area of environmental health; this is to be done in collaboration with the department of agriculture and the department of environmental quality. Prior to the issuance of the final report, there will be a public hearing to examine the draft report. While we are still concerned with this study, the language is much friendlier in its final form than the initial drafting of the bill. We will continue to monitor this study, and participate in the public hearing this fall.

### **HB0170 – Commonsense Consumption Act – Passed**

No livestock producer, manufacturer, seller, retailer or trade association is subject to civil liability based on weight gain by individuals resulting from long-term consumption of qualified products.

**HB0180 – Alfalfa Leaf-cutter Bees – Passed**

The department of agriculture is now allowed to spend the funds collected under the leaf-cutter bee program. This corrected an oversight in the initial bill establishing the fund.

**HB0277 – Challenge Loan Program – Passed**

This bill lowered the economic loss required to initiate the challenge loan program. This was done so that Goshen County bean producers would be eligible for these low-interest loans, as a means to overcome the problems resulting from fraud at Mountain States Commodities.

**HB0305/SF0110 – Fair Practices of Equipment Dealers – Failed**

This bill initially failed in the senate, and a similar bill was introduced and passed the house. The second bill ultimately died in the senate as well. This changed requirements for manufacturers and their business relationship with Wyoming dealers. This would have update Wyoming statute to more closely follow that in adjacent states.

**SPECIFIC TOPICS**

**Methamphetamines:**

**HB0100 – Methamphetamine Precursors – Failed**

**HB0249 – Methamphetamine Ingredient Control – Failed**

Both of these measures failed, in part due to introduction of federal legislation in this regard. WABA supported both measures; while we were unsuccessful with these specific bills, we are quite pleased that no bills regulating anhydrous ammonia found their way into the docket during this session.

**HB0275 – Methamphetamine Initiative Planning Study – Passed**

**HB0308- Methamphetamine Initiative – Passed**

Both of these bills address the individuals involved in methamphetamine use, and examines and creates ways to combat this societal problem. 308 is still awaiting the governor's signature.

**INTERIM TOPICS**

Specific topics of interest will be mentioned here, following the named committee; members wishing to examine all of the interim topics are encouraged to view the legislature's web page on interim topics at:

<http://legisweb.state.wy.us/2005/interim/studies.htm>.

**Judiciary:**

- ✓ Health care and tort reform

**Revenue:**

- ✓ Examine potential revenue sources for funding multi-lane highways in Wyoming
- ✓ Examine intangible property study report

**Agriculture:**

- ✓ Anti-trust: The Committee will study agriculture business to consider in any anti-trust legislation is required in response to the US Supreme Court case *Illinois Brick Co. v. Illinois*.
- ✓ Weed and Pest: There is currently a county that is in the process of declaring coyotes as a pest in order to use Weed and Pest District monies for predator control. The Committee will look at Predatory Animal Board and Weed and Pest Control responsibilities and budgets.
- ✓ Grain Indemnity Account: Because of the warehouse problem this year, and in light of the considerable time spent over the past few years regarding bankruptcy, insolvency or fraud of persons purchasing Wyoming crops, the Committee will consider the need for a commodity indemnity account.
- ✓ Livestock Dealers: In order to regain its Brucellosis free status, Wyoming must show it requires its livestock dealers to be registered. The Committee will review the status of livestock dealers and consider potential legislation.

**Minerals, business and economic development:**

- ✓ Community landfill remediation – There are 130 landfills state-wide of which 52 are active and 21 are known to be leaking. The DEQ predicts that 58 will ultimately leak and predicts the total cost to remediate these leaking landfills will be \$174 million. The Committee will distribute the previously drafted legislation to all stake holders state-wide, take testimony and develop a plan for regional landfills and the remediation of existing landfills.

**Labor, health and social services:**

- ✓ Develop appropriate legislation to respond to the numerous reports required by law to be given to the Committee. (Including HB0094)

Again, thank you for your help during the session,

Keith A. Kennedy,  
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Wyoming Ag-Business Association